



Case #2022D.PC

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of Leblanc, et al.

Serial No. 10/813,153

Group Art Unit: 1615

Filed: 30 March, 2004

Examiner:

For: USE OF SOLUBILIZED, ANIONIC  
POLYURETHANE IN SKIN CARE  
COMPOSITIONS

**RESPONSE TO NOTICE OF OMITTED ITEM(S)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

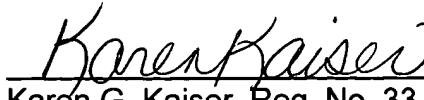
Sir:

This is in response to the "Notice of Omitted Item(s) in a Nonprovisional Application" mailed 14 June, 2004, a copy of which is enclosed. The Notice stated that Page 1 of the specification appears to have been omitted from the application. However, the pages were all misnumbered and there was no page 1 to the application. This can be determined as "Page 2" begins with a title and then proceeds to the Background of the Invention. Further, the postcard sent with the applications states that the specification is 23 pages (pages 2-24). A copy of the postcard is submitted herewith.

Further submitted herewith is a substitute specification in which the pages have been renumbered. No new language has been added.

Please charge Deposit Account No. 14-0455 in the amount of \$130.00. The Commissioner is hereby authorized to charge any additional fees which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment to Deposit Account No. 14-0455. A duplicate copy of this letter is enclosed for that purpose.

Respectfully submitted,

  
\_\_\_\_\_  
Karen G. Kaiser, Reg. No. 33,506  
Attorney for Applicants  
Tel. No. 908-575-6152

National Starch and Chemical Company  
P.O. Box 6500  
Bridgewater, New Jersey 08807-0500

8 July, 2004



Please type a plus sign (+) inside this box → +

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all  
correspondence after initial  
filing)

Total Number of Pages  
In This Submission: 26

|                               |                |
|-------------------------------|----------------|
| <b>Application Number</b>     | 10/813,153     |
| <b>Filing Date</b>            | March 30, 2004 |
| <b>First Named Inventor</b>   | Leblanc et al. |
| <b>Group Art Unit</b>         | 1615           |
| <b>Examiner Name</b>          | Unknown        |
| <b>Attorney Docket Number</b> | 2022D.PC       |

### ENCLOSURES (check all that apply)

|   |  |  |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment / Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declarations(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Doc(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input checked="" type="checkbox"/> Response to Missing Parts<br>Under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers<br><i>(for an Application)</i><br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group ( <i>Appeal, Notice, Brief, Reply Brief</i> )<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) ( <i>please identify below</i> ):<br><i>Postcard Receipt</i><br><i>Copy of Notice of Omitted Items in NonProvisional Application</i><br><i>Substitute Specification with Renumbered Pages</i> |
| <u>Remarks</u>  |  |  |

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                           |                                  |  |  |
|---------------------------|----------------------------------|--|--|
| Firm or Individual Name - | Karen G. Kaiser, Reg. No. 33,506 |  |  |
| Signature -               |                                  |  |  |
| Date -                    | July 9, 2004                     |  |  |

### CERTIFICATE OF MAILING

|  |                   |  |  |
|--|-------------------|--|--|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on this date: 7/9/04 |                   |  |  |
| Typed or Printed Name  | Deborah J. Mouzon |  |  |
| Signature  |                   |  |  |
| Date   | 7/9/04            |  |  |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

IFW/\$



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/813,153         | 03/30/2004             | Jean-Pierre Leblanc   | 2022D.PC               |

Karen G. Kaiser  
 NATIONAL STARCH AND CHEMICAL COMPANY  
 P.O. Box 6500  
 Bridgewater, NJ 08807-0500

07/14/2004 WASFAW1 00000092 140455 10813153

01 FC:1051 130.00 DA

CONFIRMATION NO. 5423  
**FORMALITIES LETTER**  
**\*OC000000012937268\***  
**\*OC000000012937268\***

Date Mailed: 06/14/2004

**NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION**

Adjustment date: 07/19/2004 WASFAW1  
 07/14/2004 WASFAW1 00000092 140455 10813153      **FILED UNDER 37 CFR 1.53(b)**  
 01 FC:1051 130.00 CR

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Page(s) 1 of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted items(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) OR (b)**. In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the

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 01 FC:1460 130.00 DA

references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes . Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*mt*  
*A copy of this notice MUST be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE